

Council Meeting
April 15, 2008 – 5:01 pm

The meeting was called to order by President Spaetti, Councilmen Spaetti, Bunner, Ebert, Kroeger, Kress, Cochenour, and Attorney Wetherill were present. Councilman Winsett was absent.

Minutes

03/18/2008 minutes. Bunner made a motion to approve the minutes. Ebert seconded. All in favor.

Additional

County General –

Unemployment – Shelton explained that the unemployment account is nearly depleted and an additional of \$2,500 was requested. Ebert made a motion to approve. Kress seconded. All in favor.

Jail / Medical, Hospital & Dental – Chief Deputy McDurmon detailed steps the jail is implementing to lower the medical costs paid by the county for inmates, including possibly raising the co-pay and forcing the inmates personal insurance to cover the expenses. The budgeted amount for Medical was \$35,000 and \$33,783.37 has already been spent. Another \$35,000 was requested. Ebert made a motion to approve the \$35,000. Cochenour seconded. All in favor.

EMA Repair of Equipment – Perdue detailed the spending of the EMA department on equipment since the beginning of the year and what is still needed. He further explained that \$2,360.80 of the requested \$4,635.80 will be reimbursed later by a grant. Kroeger made a motion to approve the request. Kress seconded. All in favor.

Surveyor / Travel – Surveyor Sublett was unable to attend the meeting but requested an additional of \$500 to cover travel expenses of Road School and a Stormwater Drain Seminar. Discussion was had on employees using personal vehicles for county travel when they have a county vehicle available. Commissioner Gogel explained that the Surveyor's truck has too many miles on it to travel out of the county. Kroeger made a motion to approve the additional. Bunner seconded. All in favor.

CEDIT

2008 CEDIT Road Plan – Engineer Lloyd explained to the council the new plan for the CEDIT roads. In the past asphalt surfaced roads were resurfaced every 10 years. The new proposal is to chip and seal the asphalt surface every 5 years and then after 15 years, resurface with new asphalt. In calculation of the new plan, using just 7 roads, the county will save \$849,737 over the next 20 years. The requested amount for the new CEDIT plan is \$1,300,000. Ebert made a motion to approve the additional. Kroeger seconded. All in favor.

COIT

Public Safety Plan Revisions – Commissioner Gogel explained that redesign meetings were held in which Universal Design was present and plans were revised which will save the county money in the initial costs of the proposed public safety building if the grant is awarded to Spencer County. Kroeger stated that a joint meeting will need to be held prior to finding out about the grant to discuss the building. Kroeger made a motion to approve the requested \$7,456 to pay Universal Design. Ebert seconded. All in favor.

Rainy Day Fund

Voting Machines and Printers – Clerk Jochim requested an additional of \$42,600 from Rainy Day for additional voting machines and printers. The request was made last month from County General but the council felt it was better for the county to have the funds come from Rainy Day. Bunner made a motion to approve the request. Cochenour seconded. All in favor.

Law Enforcement Fund

Equipment for local Police Departments – Prosecutor Dartt explained that the Law Enforcement Fund money comes from money seized in drug raids, so he likes to give as much of the money as possible back to the officers in the form of overtime pay or equipment they need. The Rockport City Police requested tasers and the Santa Claus Police requested 2 radios for a total cost of \$9,109. Ebert made a motion to approve the request for \$9,109. Cochenour seconded. All in favor.

Transfers

Jail – McDurmon stated that due to a dispatcher qualifying to be a senior dispatcher, \$18,164.00 needs to be transferred from the Dispatcher account to the Senior Dispatcher account. Cochenour made a motion to approve. Bunner seconded. All in favor.

Spencer County Tourism Commission Appointment

The council received a request from the Spencer County Tourism Commission to make an appointment. Larry May was recommended. Ebert made a motion to appoint Larry May. Kress seconded. All in favor.

Luce Sewer

Jeaneda Middleton, a resident of Luce Township, addressed the council regarding the Luce sewer project. She stated that she has always been in support of community development. She also stated that she personally is in need of a sewer system due to problems with her existing septic system. During the last large amount of rain in March she had to shovel off the top of her septic laterals because they had failed. She further stated that the current plan is the only plan; there will not be another plan. She discussed how former Commissioner Leiberling was in support of the project when he was on the board. She stated that there is no reason for anyone to say they could not get the information they needed about the system, because she was able to get all of the information. She said that it is necessary to get the easements, but the area is now divided into groups. She said some people have told her that they are in favor of the system but they are complacent. The only way to stop people from being complacent is to hit them in the pocket book. She discussed her work with the Reo Water Board. The only way they were able to get the needed easements was to increase the fee, and it was necessary because of the e-coli found in the water. She said there is no way to please everyone. Change terrifies people, but it is necessary.

Middleton discussed the letter of requirements to the Luce sewer board from the council. She disagreed with the letter and with the appointments to the board of people who are opposed to the system. She said that they do not have a councilman or a trustee that supports them. She said the proposed plan is a quality plan and has a 75 year life span. She said that if it is changed to a system of lower quality then she wants her easement back. She said there are 400 residents behind this plan and she has heard that the council does not want anything else to do with the project. She said the council cannot throw away all of the time and money spent on this project. She said there will never be another project that will be more beneficial to the residents or to the county as this project. She wants new families coming into the area. The new school is ready for new children, but who wants to move into an area with sewage. With the high amount of rain in March people could not flush their commodes. She said people should not have to live with sewage bubbling up in their yard, and some people have to have their septic tanks pumped every month and it is expensive.

Middleton said that she does not feel the council should try to take control of the board. She said she thought the councils function was just to fund the project. She said the council should stop placing restrictions on the board, because they need to do what is necessary to get the complacent ones to sign their easements. She said that the council needs to stick with their commitment and stand by their word to fund the project. She stated that commitments were made to the community and to the banks and the council needs to honor them.

Kroeger stated that the council has always supported a sewer system in the area. He said they have also always supported having a strategic planning meeting. He said that the project must be done by the community; the council cannot force the project. Kroeger asked Middleton if she thought a strategic planning meeting would help. Middleton said it will not help, because the people feel the council is not behind the project. Kroeger re-read the motion he made at the last meeting, stating that the money was not cut-off, only postponed so everyone can wait and see how the planning sessions go. He said it was stated that it was not intended to imply the payments will not be made, only that it is incumbent upon the sewer board to present sufficient evidence that progress has been made. Kroeger stated that the council has invested \$750,000 so far and the council is willing to support what comes out of the strategic planning session. Middleton stated that anytime the council issues ultimatums to the board it appears they are trying to take over the board. Kroeger stated that was not a letter from the board. Spaetti stated that the letter was not a list of conditions from the board but just notes he wrote down after talking to others in an attempt to reach a resolution. Middleton stated that the council dismantled the board. Kroeger disagreed. Spaetti stated that it was his suggestion that Garrett step down. Kroeger stated that the council does not have control over what will or can be done. Kroeger also corrected a statement made earlier by Middleton about the council making commitments to the banks. Kroeger stated that the council did not make a commitment to the banks; that was done by the sewer board. Kroeger also said if the project continues forward the

council will support it; if the community goes to another project the council will support it to the extent they can, but it will start off with the debt from the current project.

Middleton asked why the council listened to the opposition for so many months; nothing new was ever said. Kroeger stated the council meetings are open and anyone is welcome to come and offer their opinions. He thanked Middleton for coming forward and giving her opinion. Kroeger reiterated that he hopes and prays that the community can come together and work out a project for a sewer system. Middleton stated that the council invited the public to come speak, but there are 400 people who have signed their easements and that should speak for them. Ebert stated that the local people need to take the bull by the horns and take control of the project. Spaetti stated that the money was dedicated to help Luce Township get a sewer. The council has no say in what system it is. Middleton stated the council is not supposed to have a say in what system; that is what the board is for. Middleton said there is no way to have progress if the board is divided. Ebert said the community is divided, not just the board. He said he hopes the facilitators can help. Kroeger stated that everyone needs to wait until the facilitators have a chance to do their job. Cochenour said he would not drive to every sewer board meeting if he was not behind having a sewer, and he feels it is important to see what the facilitators can do to bring the people together. Then after that the council and everyone can make an educated decision.

After the council sang Happy Birthday to Middleton, she left the meeting.

Spaetti said that the board representative, Christian Decker, wrote him a letter stating that he was disappointed that funding was postponed because he is afraid that people will be discouraged from signing easements.

Spaetti asked the representatives present from Freedom Bank if they have anything to say. Kroeger restated to Freedom that the money has not been withdrawn. Kroeger also asked when the strategic planning meetings with the facilitators will be taking place. Sewer board member Beth Packer stated that the next regular sewer board meeting will be held Tuesday, April 22nd at 7:30 pm and the facilitators said it would be another month before they could present their findings. Sewer board member Ed Ingram stated that they are still collecting information.

Spaetti said that he appreciates that two local banks were willing to help the project and the council intends to help make sure the banks are paid. Cochenour asked the amount of the loan. Mike Schulte, of Freedom Bank, stated that it was an \$800,000 bond anticipation loan which was renewed for one year and will come due again in June. Cochenour said if the interest is estimated at about \$40,000, the sewer board could pay that and Freedom could renew for another year. Schulte stated that in another year they still would not be seeing any return on their investment. The initial loan was for two years and at the time no one anticipated it going longer than that. Spaetti asked Wetherill if under normal circumstances, when a bond is taken out would the bank be paid off first. Wetherill stated that Freedom Bank would be the first to be paid. Bunner told Freedom that their concern is also the councils' concern, to get the project underway. Schulte stated that the banks concern is the use of "at this time" in the motion. Schulte said the implication is that the council is not definitely saying the money will be paid. Kroeger stated that the council will definitely support a project. Kress stated that there needs to be more than 50% support. Schulte stated that all of the previous projects totaled together do not total the number of people involved in this project. Ebert stated that the community needs to be behind the project. Bunner stated that unity behind the project will solve everyone's problem. Wetherill stated that it is imperative to have the facilitated meeting as soon as possible and the council formally needs to amend the ordinance. After the facilitated meeting then the council can formalize the meeting with a memorandum of understanding between everyone. Kroeger asked Wetherill if, to help the banks, the council could amend the ordinance to say that the payment will be made in December. Wetherill stated that a memorandum of understanding would stand alone from the ordinance. Wetherill further stated that the project has not been abandoned; it is being pursued, just not to anyone's satisfaction.

Brett Small, of Freedom Bank, stated that they got involved for many reasons, community development, health reasons and they have several customers from that area, but right now they are feeling uncertain if they are going to be getting their money back. Schulte stated that they are not telling Luce Township what project they have to go with. They made a good faith effort to help the community.

To illustrate a point to the council, Packer asked Ingram if he felt that the postponement of the payment made him think it was a step in the direction he and others opposing the project wanted. Ingram stated yes. Packer said that is why Middleton and others think the council is against the project.

Spaetti stated that if COIT funding is put back in place that he would like to see it used to pay down the loan.

Wetherill stated he would like to see the meeting happen immediately, because there are people on the sewer board that want the board dissolved. But since they cannot get it dissolved they will sit and not act. That is why a MOU is needed that includes all parties. Packer stated that cooperation and compromise are needed.

Kroeger asked if the COIT money can be used to pay down the principle of the loan. Schulte stated that principle can be paid at anytime.

Norman Feige stated that whether the project happens or not is dependent upon Rural Development's approval and he thinks they are going to turn the project down.

Kroeger stated that all parties involved need to be present at the facilitated meetings, including Rural Development and Umbaugh.

Bunner made a motion to adjourn. Kress seconded. All in favor. The meeting was adjourned at 7:21 pm.

County Council,

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President	
_____	_____
_____	_____
Attest:	
_____	_____
Cindy Shelton, Auditor	
